Duane Morris*

DUANE MORRIS LLP 101 WEST BROADWAY, SUITE 900 SAN DIEGO, CA 92101 PHONE: 619.744.2200 FAX: 619.744.2201

RECEIVED CENTRAL FAX CENTER

OCT 1 1 2005

FACSIMILE TRANSMITTAL SHEET

To:

USPTO

Mail Stop AF

FACSIMILE NUMBER:

571.273,8300

FROM:

James W. Collett, Ph.D.

DIRECT DIAL:

619.744.2240

DATE:

October 11, 2005

FILE NUMBER:

MESSAGE:

E3799-00018

TOTAL # OF PAGES:

17

(including covershert)

Response to Final Office Action / Notice of Appeal

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 619.744.2200.

DUANE MORRIS SAN DIEGO

RECEIVED CENTRAL FAX CENTER

OCT 1 1 2005

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031
U.S. Petern and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1985, no persons are required to rescond to a collection of information unless it displays a valid OMB control number. Application Number 09/555.448 Fllino Date TRANSMITTAL August 16, 2000 First Named Inventor Fang Fang **FORM** Art Unil 1848 Examiner Name Winder, Ulrike (to be used for all correspondence after initial filling) Attorney Docket Number E3799-00018 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC [√] Fee Transmittal Form Drawing(s) Appeal Communication to Board of Appeals and Interferences Licensing-related Papers Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) **✓** Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Stalus Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclalmer below): Extension of Time Request Request for Refund Express Abandonment Request CD. Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(a) Change of Correspondence Address Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Duane Morris LLP Signature Printed name James W. Collett, Ph.D. 46,636 Date October 11, 2005 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date October 11, 2005 Roxanne ippolito Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Comfidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is eatimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

2 003/017

OCT 1 1 2005

PTC/SB/17 (12-04v2)
Approved for use through 07/31/2008. OMB 0651-0032
U.S. Petent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

| Under the Pagerwork Reduction | on Act of 1995 | YO DAIRIONS ARE TROUB | ren la musi | CONTRACTOR OF CHICAGO | TITIOTTIVILITY (TITIO | : 2 15 | | |
|---|------------------------|-----------------------|-------------|-----------------------|-----------------------|--------------------------|---------------|--|
| Effective on 12/08/2004. | | | | Complete if Known | | | | |
| Foos pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). | | | | Application Number | | 09/555,446 | | |
| FEE TRANSMITTAL For FY 2005 | | | | Filing Date | August 1 | August 16, 2000 | | |
| | | | | First Named Inver | nter Yang Ya | Yang Yang | | |
| | | | | Examiner Name | Winkler, | Winkler, Ulrike | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | | | Art Unit | 1648 | 1648 | | |
| TOTAL AMOUNT OF PAY | MENT (S) | 760.00 | | Attorney Docket N | No. E3799-0 | 00018 | | |
| METHOD OF PAYMENT (sheek all that engly) | | | | | | | | |
| METHOD OF PAYMENT (check all that apply) | | | | | | | | |
| Check Credit Card Money Order Nonc Other (please identify): | | | | | | | | |
| Deposit Account Deposit Account Number: <u>04-1679</u> Deposit Account Name: <u>Duane Morris</u> , <u>LLP</u> | | | | | | | | |
| For the above-Identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.16 and 1.17 | | | | | | | | |
| under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | |
| | OR P10-2036. | · | | | | | | |
| FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES | | | | | | | | |
| 1. BASIC FILING, SEAI | RCH, AND E FILING F | KAMINATION (| SEARI | CH FEES | EXAMINATIO | N FEES | | |
| | <u>S</u> ı | nali Entity | | Small Entity | <u>\$ma</u> | ii Entity | Fees Paid (5) | |
| Application Type | Fee (\$) | Fee (\$) | Fee (\$) | | | <u>e (S)</u> | rees Carater | |
| Utility | 300 | 150 | 500 | 250 | - | 00 | | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | | |
| Reissuc | 300 | 150 | 500 | 250 | 600 3 | 00 | | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | | |
| 2. EXCESS CLAIM FEES Small Entity Fee (5) Fee (5) | | | | | | | | |
| Fee Description | | | | | | 50 | 25 | |
| Each claim over 20 (including Reissues) | | | | | | 200 | 100 | |
| Each independent claim over 3 (including Reissues) | | | | | | 360 | 180 | |
| Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) | | | | | 1 | Multiple Depe | ndent Claims | |
| <u>Total Claims</u> - 20 or HP = | EXIIA CIAII | A 177.161 | - | | • | Fee (\$) | Fee Paid (\$) | |
| HP = highest number of total | al claims paid for | , if greater then 20. | | | | | | |
| Indep. Claims | Extra Claim | <u>Fee (\$)</u> | Fee | Pald (\$) | _ | | | |
| + 3 or HP = X HP = highest number of independent claims paid for, if greater than 3. | | | | | | | | |
| | | | | | | | | |
| 1 16 the appointment and dealings exceed 100 sheets of paper (excluding electronically fried acqueince of company | | | | | | | | |
| listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small cruity) for each additional 30 | | | | | | | | |
| sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | | | |
| Total Sheets Extra Sheets Number of each additional 60 of Traction traces 100 = | | | | | | | | |
| Face Build (E) | | | | | | | | |
| 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) | | | | | | | | |
| Other (c.g., late filing surcharge): Petition For 3 Month Extension of Time Fee and Notice of Appeal fee 760.00 | | | | | | | | |
| Outer (c.g., rate IIII | ie aer aum Be | V-1 - GREAT LOLO W | | | | | | |
| SUBMITTED BY Pagistration No. | | | | | | | | |
| Signature Registration No. (Attorney/Agent) 46,636 | | | | | | Telephone (619) 744.2200 | | |
| | 1/2 11 11 51 5 | · | | | | Date Octo | ber 11, 2005 | |

This collection of Information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, useful of process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed epptication form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademerk Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

8D/75153